

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

JUAN BARELA,

Plaintiffs,

V.

CITY OF WOODLAND, et al.,

Defendant.

Case No. C06-5431 JKA

**INTERIM ORDER RE:
DEFENDANTS' MOTION TO STAY
DISCOVERY (Doc#34) and
PLAINTIFF'S MOTION TO COMPEL
DISCOVERY (Doc#41)**

Defendants City of Woodland, Canepa, and Ladouceur have moved for a stay of proceedings pending the court's ruling on a pending motion for summary judgment based on the doctrine of Qualified Immunity. The Motion to Stay was noted for June 1, 2007, and the Motion for Summary Judgment on the doctrine of Qualified Immunity is noted for June 8, 2007. Plaintiff has moved to compel discovery.

The court takes particular note of the Scheduling Order in this matter, in which the court ordered date for completion of discovery was May 7, 2007. It appears the parties agreed, without court consideration, to extend the time for defendant Cruser to respond to plaintiff's discovery requests.

Both motions were filed May 17 (10 days following the court ordered date for completion of discovery). When parties decide to ignore the court's scheduling order and/or agree to modify it without seeking court approval they proceed at their own risk. The purpose of the scheduling order is to provide an orderly process and to assure both parties and the court that the case will be ready for trial on the scheduled trial date. When the parties enter into private agreements to adjust the dates, they inevitably create "crowding" of the scheduled events as the case progresses.

Inasmuch as defendants' motion for summary judgment was noted June 8, the court will remote defendants' motion to stay (Doc #34) and plaintiff's motion to compel (Doc#41) for June 8 as well.

Dated this 5th day of June 2007.

/s/ J. Kelley Arnold, U.S. Magistrate Judge